

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

DERRICK HAYES,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-15-932-M
	)	
COURTNY REED, Correctional	)	
Officer; JOHN HAMPTON, Captain,	)	
Shift Supervisor,	)	
	)	
Defendants.	)	

**ORDER**

On September 3, 2015, United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983, alleging violations of plaintiff's Sixth, Eighth, and Fourteenth Amendment rights and plaintiff's rights under Oklahoma law while incarcerated at the Mack Alford Correctional Center in Stringtown, Oklahoma. The Magistrate Judge recommended dismissal of this action without prejudice to refiling. Petitioner was advised of his right to object to the Report and Recommendation by September 23, 2015. A review of the file reveals no objection has been filed.

Accordingly, upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 5] issued by the Magistrate Judge on September 3, 2015, and
- (2) DISMISSES this action without prejudice to refiling.

**IT IS SO ORDERED this 30th day of September, 2015.**

  
VICKI MILES-LAGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE